

BILL AS INTRODUCED
2002

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ORIGINAL

S.225

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Introduced by Senator Chard of Windham County

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Referred to Committee on *Finance*

4

Date: *January 9, 2002*

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Subject: Health insurance; mental health and substance abuse

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Statement of purpose: This bill proposes to change the scope of health

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insurance companies required to issue an annual mental health coverage report

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card, and to protect confidential mental health records used in connection with

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a review by the independent panel of mental health care providers.

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AN ACT RELATING TO MENTAL HEALTH INSURANCE
COVERAGE

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It is hereby enacted by the General Assembly of the State of Vermont:

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Sec. 1. 8 V.S.A. § 4089b(f) is amended to read:

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(f) On or before July 15 of each year, ~~the five largest~~ health insurance

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companies doing business in Vermont, and whose individual share of the

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commercially-insured Vermont market, as measured by covered lives,

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comprises at least five percent of the commercially-insured Vermont market,

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shall file with the commissioner, in accordance with standards, procedures, and

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forms approved by the commissioner:

1 (1) A report card on the health insurance plan's performance in relation
2 to quality measures for the care, treatment, and treatment options of mental
3 health and substance abuse conditions covered under the plan, pursuant to
4 standards and procedures adopted by the commissioner by rule, and without
5 duplicating any reporting required of such companies pursuant to Rule 10 of
6 the division of health care administration, "Quality Assurance Standards and
7 Consumer Protections for Managed Care Plans", and regulation 95-2, "Mental
8 Health Review Agents," of the division of insurance, as amended, including:

9 (A) the discharge rates from inpatient mental health and substance
10 abuse care and treatment of insureds;

11 (B) the average length of stay and number of treatment sessions for
12 insureds receiving inpatient and outpatient mental health and substance abuse
13 care and treatment;

14 (C) the percentage of insureds receiving inpatient and outpatient
15 mental health and substance abuse care and treatment;

16 (D) the number of insureds denied mental health and substance abuse
17 care and treatment;

18 (E) the number of denials appealed by patients reported separately
19 from the number of denials appealed by providers;

20 (F) the rates of readmission to inpatient mental health and substance
21 abuse care and treatment for insureds with a mental health condition;

1 (G) the level of patient satisfaction with the quality of the mental
2 health and substance abuse care and treatment provided to insureds under the
3 health insurance plan; and

4 (H) any other quality measure established by the commissioner.

5 (2) The health insurance plan's revenue loss and expense ratio relating
6 to the care and treatment of mental health conditions covered under the health
7 insurance plan. The expense ratio report shall list amounts paid in claims for
8 services and administrative costs separately.

9 Sec. 2. 8 V.S.A. § 4089a(i) is added to read:

10 (i) The confidentiality of any health care information acquired *by* or
11 provided to the independent panel of mental health professionals shall be
12 maintained in compliance with any applicable state or federal laws. The
13 independent panel shall not constitute a public agency under subsection 317(a)
14 of Title 1, or a public body under section 310 of Title 1. Records of, and
15 internal materials prepared for, specific reviews under this section shall be
16 exempt from public disclosure under section 316 of Title 1.

17 Sec. 3. 1 V.S.A. § 317(c)(28) is amended to read:


18 (c) The following public records are exempt from public inspection and
19 copying:


20 * * *


1 (28) records of, and internal materials prepared for, independent external
2 reviews of health care service decisions pursuant to 8 V.S.A. § 4089f and of
3 mental health care service decisions pursuant to 8 V.S.A. § 4089a.

4 Sec. 4. EFFECTIVE DATE; EFFECT ON EXISTING LAW

5 This act shall take effect upon passage. Secs. 2 and 3 of this act are
6 intended to clarify existing law, and to be remedial in nature.



PRESIDENT OF THE SENATE


SPEAKER OF THE HOUSE OF REPRESENTATIVES
 3/15/02

GOVERNOR Date

FINANCE
ORIGINAL
S.225

AN ACT RELATING TO MENTAL
HEALTH INSURANCE COVERAGE.

SENATE CHAMBER
1/23, 20 02
On motion of Sen. Motor Chard
rules were suspended and committee on
Finance relieved of further
consideration. Pending entry on calendar
for notice, on motion of Sen. Chard
bill committed to Committee on Health/House
[Signature]
Assistant Secretary

SENATE CHAMBER
1/24, 20 02
Entered on the Calendar for Notice.
[Signature]
Assistant Secretary

SENATE CHAMBER
1/29, 20 02
Reported favorably with recommendations/
proposals of amendment. Read second time,
recommendations/proposals of amendment
agreed to and third reading ordered.
[Signature]
Assistant Secretary

SENATE CHAMBER
1/30, 20 02
Read third time and passed.
[Signature]
Assistant Secretary

HOUSE OF REPRESENTATIVES
2/1, 20 02
READ AND REFERRED TO THE
COMM ON H + W
[Signature]
ASST. CLERK

HOUSE OF REPRESENTATIVES
2/19, 20 02
ENTERED ON THE CALENDAR
FOR NOTICE
[Signature]
ASST. CLERK

HOUSE OF REPRESENTATIVES
2/20, 20 02
REPORTED FAVORABLY, READ 2ND
TIME AND 3RD READING ORDERED.
[Signature]
ASST. CLERK

HOUSE OF REPRESENTATIVES
2/21, 20 02
READ THIRD TIME AND PASSED IN
CONC. WITH
[Signature]
ASST. CLERK

SENATE CHAMBER

January 9, 2002

Introduced by Senator Chard of Windham
County.

Read the first time and referred to
Committee on Finance

David C. Gibson Secretary